

FILED
In Open Court
By 6 Time 1:00

DEC 18 '03

CASE NO: CR MARVELLEN 00055

CLERK OF SUPERIOR COURT
By WAA Deputy

It is hereby ordered that the defendant be released, provided that s/he comply with the standard conditions and all other conditions checked below.

If released, the defendant shall appear for the **trial** of this matter on [day]_____, the ____ day of _____, 20____, in Division ____ of the Superior Court of Arizona, at Bisbee, Arizona, and during the pendency of this case the defendant shall:

- (1) Appear to answer and submit her/himself to all further orders and processes of the court having jurisdiction of the case;
 - (2) Refrain from committing any criminal offense;
 - (3) Not leave the State of Arizona or enter the Republic of Mexico without the written permission of the court; and
 - (4) If released during an appeal, prosecute her/his appeal with due diligence.
- (1) Have no contact with victims and codefendants, if there are any.

You have a right to be present at your trial and at a number of other proceedings of which you will be notified. If you do not appear at the time set by the court, a warrant will be issued for your arrest and **the proceeding will begin without you.**

☒ **A. Own Recognizance:** The court does not find that imposition of other conditions is necessary to reasonably assure the defendant's appearance as required. *Conditions of Release are modified.*

-- OR --

[] B. Appearance Bond: The defendant will execute an appearance bond with surety approved by the court and binding her/himself to pay the state of Arizona the sum of _____ dollars (\$ _____) in the event s/he fails to comply with its conditions.

C. Third Party Custodian: The defendant will be placed in the custody of:

Name: _____ **Relationship:** _____ **Telephone No.:** _____

Address: _____
[home address] [City, State, Zipcode]

Third party custodian agrees (a) to supervise the defendant in accordance with the conditions of this order, (b) to use every effort to assure the appearance of the defendant at all scheduled hearings before the court having jurisdiction of the case, and (c) to notify the court immediately if defendant violates any condition of her/his release or disappears.

RV 5/00

Signature of Custodian or Proxy

☐ **D. Secured Appearance Bond:** The defendant will deposit with the clerk of the court security in the full amount of the appearance bond required above.

☐ **E. Part-Time Release:** The defendant will be released from ____ a.m./p.m., to ____ a.m./p.m., on the following days of the week: _____, on condition that s/he return to custody during all other times at such place of confinement as the Sheriff shall designate.

☐ **F. Other conditions, restrictions on travel and associations, and places where you may reside:**

III. CONSEQUENCES OF VIOLATING THIS ORDER --

If the defendant violates any condition of an appearance bond, the court may order the bond and any security deposited in connection therewith forfeited to the state of Arizona.

In addition, the court may issue a warrant for the defendant's arrest upon learning of her/his violation of any of the conditions of her/his release. After a hearing, if the court finds that the defendant has not complied with the conditions of release, it may modify the conditions or revoke her/his release altogether.

If defendant was released on a felony charge, and the court finds the proof evident or the presumption great that the defendant committed a felony during the period of release, it **shall** revoke the defendant's release. Such defendant would also be subject to an additional criminal charge, and upon conviction could be punished by imprisonment for not more than five years in the state prison, in addition to the punishment which otherwise could be imposed for the crime committed during the period of release.

Upon finding that the defendant or any other person named in this order has willfully violated its terms, the court may also find her/him in contempt of court and sentence him to a term of imprisonment, a fine, or both.

IV. ACKNOWLEDGMENT BY DEFENDANT --

I understand the standard conditions and all other conditions of my release checked above, and the forfeitures and penalties applicable in the event I violate them.

I agree to comply fully with each of the conditions imposed on my release and to notify the court promptly in the event I change the address indicated below.

V. WAIVER OF EXTRADITION PROCEEDINGS --

☐ **DEFENDANT INITIALS.** I acknowledge that I am charged in the Superior Court of Cochise County, State of Arizona, with felony offenses. In the event I am arrested in another state, I waive the issuance and service of the warrant provided by law for my extradition from said other state to the State of Arizona, and I agree to return to the custody of any peace officer of the State of Arizona without the issuance and service of any warrant already issued for my arrest. I understand that I am entitled to sue out a writ of habeas corpus and I voluntarily waive my right of habeas corpus proceedings, all of which has been explained to me by the court and my lawyer. I voluntarily waive all extradition proceedings of every kind and character.

Dated this 18th day of Dec., 20 18.

Defendant

915 N. 52nd St 1017

Address

Phoenix, AZ 85008

City and State and Telephone Number

JUDGE